

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SAMSUNG ELECTRONICS CO., LTD. AND)	
SAMSUNG SEMICONDUCTOR, INC.,)	
)	
Plaintiffs,)	
)	C.A. No. 21-1453 (RGA) (JLH)
v.)	
)	
NETLIST, INC.,)	
)	
Defendant.)	
)	
<hr/> NETLIST, INC.,)	
)	
Counterclaim-Plaintiff,)	
)	
v.)	
)	
GOOGLE LLC, ALPHABET INC.,)	
SAMSUNG ELECTRONICS CO., LTD., AND)	
SAMSUNG SEMICONDUCTOR, INC.,)	
)	
Counterclaim-Defendants.)	

**SAMSUNG ELECTRONICS CO., LTD. AND SAMSUNG
SEMICONDUCTOR, INC.'S MOTION TO STAY**

Plaintiffs and Counterclaim-Defendants Samsung Electronics Co., Ltd. and Samsung Semiconductor, Inc. (collectively, “Samsung”) respectfully move to stay this litigation until the disposition of the earlier-filed action by Defendant and Counterclaim-Plaintiff Netlist, Inc. (“Netlist”) concerning Samsung’s license to the patents-in-suit—an action recently remanded to the Central District of California by the Ninth Circuit. *See Netlist Inc. v. Samsung Electronics Co., Ltd.*, No. 8:20-cv-00993-MCS (C.D. Cal.); D.I. 192, Ex. A (Ninth Circuit’s Oct. 17, 2023 decision). The grounds for this motion are set forth in the Opening Brief filed herewith.

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October 26, 2023

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RULE 7.1.1 CERTIFICATE

Samsung has made reasonable efforts to resolve this dispute with Netlist. On October 19, 2023, counsel for Samsung informed counsel for Netlist that it would move to stay this litigation and requested Netlist's position on the motion. During the *Markman* hearing on October 20, 2023, counsel for Netlist represented that it would not agree to a stay. Counsel for Samsung contacted counsel for Netlist again on October 23, 2023, and Netlist agreed on the same day to a filing deadline of October 26, 2023, for this motion to stay.

/s/ Rodger D. Smith II

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CERTIFICATE OF SERVICE

I hereby certify that on October 26, 2023, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on October 26, 2023, upon the following in the manner indicated:

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